

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **VICE CHAIRMAN ROD BITNEY**, on January 19, 1999
at 3:00 P.M., in Room 104 Capitol.

ROLL CALL

Members Present:

Rep. Rod Bitney, Vice Chairman (R)
Rep. David Ewer, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Roy Brown (R)
Rep. Edith Clark (R)
Rep. Tom Dell (D)
Rep. Steven Gallus (D)
Rep. Toni Hagener (D)
Rep. Sam Kitzenberg (R)
Rep. Bob Lawson (R)
Rep. Jeff Mangan (D)
Rep. Mark Noennig (R)
Rep. Scott J. Orr (R)
Rep. Trudi Schmidt (D)
Rep. Cindy Younkin (R)

Members Excused: Rep. Chris Ahner, Chairman (R)

Members Absent: Rep. Carley Tuss (D)

Staff Present: Bart Campbell, Legislative Branch
Kimberly Walkenhorst, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB212, HB151, HB123, 1/19/1999
Executive Action: HB123, HB151, HB212, HB91,
HB192

HEARING ON HB212

Sponsor's Opening Statement: Rep. Toni Hagener, HD90
{Tape : 1; Side : A; Approx. Time Counter : 0.3 - 6.1}

Proponents' Testimony:

Jane Jelinski, Montana Association of Counties
EXHIBIT(loh14a01)**EXHIBIT**(loh14a02)
{Tape : 1; Side : A; Approx. Time Counter : 6.4 - 8.3}

Glenna Obie, Jefferson County Commissioner
{Tape : 1; Side : A; Approx. Time Counter : 8.4 - 12.4}

Jerome Anderson, Attorney in Helena, MT **EXHIBIT**(loh14a03)
{Tape : 1; Side : A; Approx. Time Counter : 12.7 - 14.8}

Steve Wade, On behalf of Phillip Morris
{Tape : 1; Side : A; Approx. Time Counter : 14.9}

Charles Brooks, Yellowstone County Commissioner
{Tape : 1; Side : A; Approx. Time Counter : 15.4}

Kathy McGowan, Cancer, Heart, and Lung Association
{Tape : 1; Side : A; Approx. Time Counter : 16.1}

Tim Burton, Chief Administrative Officer of Lewis and Clark
County
{Tape : 1; Side : A; Approx. Time Counter : 16.6}

Mark Staples, Montana Wholesale Distribution Association
{Tape : 1; Side : A; Approx. Time Counter : 19.4}

Opponent's Testimony:

David O'Connell, 659 N. Rodney St. Helena, MT **EXHIBIT**(loh14a04)
{Tape : 1; Side : A; Approx. Time Counter : 20.4}

Questions from Committee Members and Responses:
{Tape : 1; Side : A; Approx. Time Counter : 23.9}

Closing by Sponsor: Rep. Toni Hagener
{Tape : 1; Side : A; Approx. Time Counter : 27.7}

HEARING ON HB151

Sponsor's Opening Statement: Rep. John Witt, HD89
{Tape : 1; Side : A; Approx. Time Counter : 28.4 - 29.6}

Proponents' Testimony:

Jack Holstrom, Attorney for Montana Association of Counties
{Tape : 1; Side : A; Approx. Time Counter : 29.7}

Glenna Obie, Jefferson County Commissioner
{Tape : 1; Side : B; Approx. Time Counter : 2.9}

Bill Kennedy, Yellowstone County Commissioner
{Tape : 1; Side : B; Approx. Time Counter : 3.7}

Opponents: None

Questions from Committee Members and Responses:
{Tape : 1; Side : B; Approx. Time Counter : 4.5 - 5.4}

Closing by Sponsor: Rep. John Witt
{Tape : 1; Side : B; Approx. Time Counter : 5.5}

HEARING ON HB123

Sponsor's Opening Statement: Rep. William Menahan, HD57
{Tape : 1; Side : B; Approx. Time Counter : 6 - 7.3}

Proponents' Testimony:

Jan Dee May, Department of Justice **EXHIBIT**(loh14a05)
{Tape : 1; Side : B; Approx. Time Counter : 7.5}

Jane Jelinski, Montana Association of Counties
{Tape : 1; Side : B; Approx. Time Counter : 9 - 10}

Opponents: None

Informational Testimony:

Bill Kennedy, Yellowstone County Commissioner
{Tape : 1; Side : B; Approx. Time Counter : 10.2 - 12}

Questions from Committee Members and Responses:
{Tape : 1; Side : B; Approx. Time Counter : 12.1}

Closing by Sponsor: Rep. William Menahan
{Tape : 1; Side : B; Approx. Time Counter : 16.6}

EXECUTIVE ACTION ON HB123

Motion: Rep. Mangan moved that HB123 DO PASS.
{Tape : 1; Side : B; Approx. Time Counter : 17.2}

Discussion:
{Tape : 1; Side : B; Approx. Time Counter : 17.6}

Vote: Motion carried 17-0.
{Tape : 1; Side : B; Approx. Time Counter : 17.7}

EXECUTIVE ACTION ON HB151

Motion: Rep. Younkin moved that HB151 DO PASS.
{Tape : 1; Side : B; Approx. Time Counter : 19}

Discussion: None

Vote: Motion carried 17-0.

EXECUTIVE ACTION ON HB212

Motion/Vote: Rep. Hagener moved that HB212 be amended per
EXHIBIT (loh14a09). Motion carried 17-0.
{Tape : 1; Side : B; Approx. Time Counter : 20.2}

Motion: Rep. Bookout-Reinicke moved that HB212 be adopted as
amended.
{Tape : 1; Side : B; Approx. Time Counter : 23.1}

Discussion:
{Tape : 1; Side : B; Approx. Time Counter : 23.8}

Substitute Motion/Vote: Rep. Noennig made a substitute motion
that an additional amendment be adopted per exhibit 9.
Substitute motion carried 17-0.
{Tape : 2; Side : A; Approx. Time Counter : 1.4}

Motion/Vote: Rep. Bookout-Reinicke moved that HB212 be adopted
as amended. Motion carried 14-1 with Orr voting no.

{Tape : 2; Side : A; Approx. Time Counter : 4.4}

EXECUTIVE ACTION ON HB91

Motion: Rep. Bookout-Reinicke moved that an amendment be adopted per **EXHIBIT**(loh14a06).

{Tape : 2; Side : A; Approx. Time Counter : 5.4}

Discussion:

{Tape : 2; Side : A; Approx. Time Counter : 7}

Vote: Motion carried 15-0.

{Tape : 2; Side : A; Approx. Time Counter : 10.5}

Motion: Rep. Bookout-Reinicke moved that HB91 be adopted as amended.

{Tape : 2; Side : A; Approx. Time Counter : 10.7}

Discussion:

{Tape : 2; Side : A; Approx. Time Counter : 11}

Vote: Motion carried 9-8 with Dell, Ewer, Hagener, Kitzenberg, Lawson, Mangan, and Schmidt voting no. Rep. Steve Gallus voted no by proxy.

{Tape : 2; Side : A; Approx. Time Counter : 11.1}

EXECUTIVE ACTION ON HB192

Motion: Rep. Andersen moved that an amendment be adopted per **EXHIBIT**(loh14a08).

{Tape : 2; Side : B; Approx. Time Counter : 1.8}

Discussion:

{Tape : 2; Side : B; Approx. Time Counter : 3.7}

Substitute Motion/Vote: Rep. Noennig made a substitute motion that additional amendment be adopted per exhibit 8. Substitute motion carried 15-0.

{Tape : 2; Side : B; Approx. Time Counter : 13.3}

Motion: Rep. Andersen moved that amendments be adopted per **EXHIBIT**(loh14a07).

{Tape : 2; Side : B; Approx. Time Counter : 20.5}

Discussion:

{Tape : 2; Side : B; Approx. Time Counter : 20.9}

Substitute Motion/Vote: Rep. Younkin made a substitute motion that new amendment be adopted per exhibit 8. Substitute motion carried 15-0.

{Tape : 2; Side : B; Approx. Time Counter : 24.1}

Motion/Vote: Rep. Andersen moved that HB192 be adopted as amended. Motion carried 15-1 with Mangan voting no. Rep. Steve Gallus by proxy.

{Tape : 2; Side : B; Approx. Time Counter : 28.7}

ADJOURNMENT

Adjournment: 5:20 P.M.

REP. CHRIS AHNER, Chairman

KIMBERLY WALKENHORST, Secretary

CA/KW

EXHIBIT (loh14aad)